



## Transcript of Visa Webchat on 30 October 2009

**Question:** (10/30/2009 10:01) Q: How long will it take for my petition to be accepted if i file through my brother who is a US Citizen?

**A:** If your U.S. citizen brother files an F4 immigrant visa petition for you as his sibling, you are probably in for a wait of some time before your visa can be approved. Although the petition will be approved straightaway if you are eligible, you will not be able to apply for the immigrant visa on the basis of your petition until your priority date is current. Visa categories which are not for immediate relatives need to wait for their priority date before their immigrant visa can be issued. The wait time depends upon when your original petition was filed, and your nationality. You can read more about this at [http://london.usembassy.gov/cons\\_new/visa/iv/familypref.html](http://london.usembassy.gov/cons_new/visa/iv/familypref.html)

**robert:** (10:01) Is there a mechanism to appeal against the refusal of a nonimmigrant visa ?

**Hugh Jackson:** (10:02) How many spaces are there yearly available for 'professionals' - those with a masters degree but no experience - to get a green card each year?

**London Chat2:** (10:02) Information is available from the Embassy website - <http://london.usembassy.gov>

**Question:** (10:02) Q: Can you tell me what exchange rate is used to calculate continuing UK income from the intending immigrant and their UK assets for the I-864?A: The Embassy will use the exchange rate set by the Embassy's Class B Cashier. This exchange rate fluctuates daily but is generally similar to the rate used by UK banks.

**Question:** (10:03) Q: What are the fees for getting a visa?A: The fee for filing an I-130 immigrant visa petition is \$355. The fee for the immigrant visa is \$400, and you must also pay the fee for the panel physician's medical examination. This fee is set by the panel physician according to current rates.

**Mohammad S Syed:** (10:04) the NVC sent visa documents to Consulate, for some reason the prospective immigrant postponed interview, how long it will hold visa?

**Question:** (10:04) Q: I am a UK citizen who would like to settle in America. How can I do this?A: In order to obtain a U.S. immigrant visa, someone must petition for you. U.S. citizens may petition for their immediate relatives and some other family members, and there are certain categories available for specialized workers to immigrate to the United States. You can read more about these visa categories at [http://london.usembassy.gov/cons\\_new/visa/iv/categories.html](http://london.usembassy.gov/cons_new/visa/iv/categories.html).



**Question:** (10:05) Q: When will the UK be eligible for the Diversity Lottery?

**A:** It is impossible to say, as it changes on a yearly basis, but to date, persons born in Great Britain have not been eligible to apply for the Diversity Visa Lottery - For this program only, N. Ireland is treated as a separate country and persons born in N. Ireland are eligible to apply. The U.S. chooses countries to be eligible for the Diversity Visa Lottery based upon the amount of immigrants they have previously sent to the United States. For DV-2011, natives of the following countries are not eligible to apply because the countries sent a total of more than 50,000 immigrants to the United States in the previous five years: BRAZIL, CANADA, CHINA (mainland-born), COLOMBIA, DOMINICAN REPUBLIC, ECUADOR, EL SALVADOR, GUATEMALA, HAITI, INDIA, JAMAICA, MEXICO, PAKISTAN, PERU, PHILIPPINES, POLAND, SOUTH KOREA, UNITED KINGDOM (except Northern Ireland) and its dependent territories, and VIETNAM. Persons born in Hong Kong SAR, Macau SAR, and Taiwan

**Mary:** (10:05) What requirements does a German citizen need in order to apply for a greencard

**London Chat2:** (10:05) Information on applying for an immigrant visa is available from the Embassy website - <http://london.usembassy.gov>

**Question:** (10:06) Q: How long does the process of getting a green card usually take?

**A:** Once you enter the United States on your immigrant visa, you will be instructed by the immigration officials at the U.S. border about how to apply for your Legal Permanent Resident card ("green card"). You will be mailed your green card. If you do not receive your green card within 30 days of your arrival, please call the USCIS National Customer Service Center at 1-800-375-5283 or visit your local office. You can find more information on [www.uscis.gov](http://www.uscis.gov).

**Question:** (10:07) Q: I am interested in emigrating to us with my children.

**A:** In order to obtain a U.S. immigrant visa, someone must petition for you. U.S. citizens may petition for their immediate relatives and some other family members, and there are certain categories available for specialized workers to immigrate to the United States. You can read more about these visa categories at [http://london.usembassy.gov/cons\\_new/visa/iv/categories.html](http://london.usembassy.gov/cons_new/visa/iv/categories.html). Generally speaking, it is not possible for foreigners with no family ties to decide to move to the United States to take up residence there.



**Joe:** (10:07) Why is my application taking so long to process and how can I find out what's going on

**London Chat2:** (10:07) If your application is being processed by the Immigrant Visa Unit at the Embassy, you can call our Live Operator Service on 09042 450 100 (Calls cost 1.20/min). If your application is being processed by the National Visa Center you should contact them. Contact details are available from [http://www.travel.state.gov/visa/immigrants/info/info\\_3177.html](http://www.travel.state.gov/visa/immigrants/info/info_3177.html)

**Question:** (10:07) Q: Can translations of foreign documents (i.e. birth and police certificates) be done by an individual that is not a professional translator as long as he understands the language of the original documents?

**A:** Translations must be done by an official translator.

**Question:** (10:08) Q: I wish to start proceedings to move to the USA to be with my partner but am unsure where to start or who I need to contact

**A:** Please start with visiting our website, <http://london.usembassy.gov>, and looking at the "Immigrant Visas" section. Your U.S. citizen partner will have to petition for you, but what type of visa you may be eligible for will depend on a number of factors, such as whether or not you are married.

**U.S. Embassy London:** (10:08) Q: Does age matter, for instance what chance would two 18 year olds have at getting a K-1 Visa. Thanks

**A:** A U.S. citizen who is 18 years of age can file a petition with USCIS for a K-1 fiance visa. It states on the petition form (I-129F): "If either of you is of an age that requires special consent or permission for you to marry in the jurisdiction where your marriage will occur, give proof of that consent or permission." If this applies in your case, your fiancé will have to demonstrate this to have the petition approved. All information about how the process works following the I-129F approval can be found on our website: [http://london.usembassy.gov/cons\\_new/visa/iv/fiance.html](http://london.usembassy.gov/cons_new/visa/iv/fiance.html)

**R:** (10:09) If a Company sponsors you to come over to the US. How long does it take on average to receive a greencard if you come over with a visa for your extraordinary skills?

**London Chat2:** (10:09) It will very depending on the visa category. Some categories are subject to numerical limitation and the applicant is required to wait for a visa number to become available before final action can be taken. Please take a look at our website for further information - [http://london.usembassy.gov/cons\\_new/visa/iv/index.html](http://london.usembassy.gov/cons_new/visa/iv/index.html)



**Hugh Jackson:** (10:10) are there any provisions at all for long term partners that are not married?

**U.S. Embassy London:** (10:10) Sorry, no. At this time, a US citizen cannot petition for their unmarried partner.

**Question:** (10:10) Q: I would like to know the status of my immigrant visa case. Who should I contact?

**A:** If your application is being processed through the National Visa Center in New Hampshire, you should contact them - contact details are available from [http://www.travel.state.gov/visa/immigrants/info/info\\_3177.html](http://www.travel.state.gov/visa/immigrants/info/info_3177.html). If the petition was filed with USCIS at the Embassy and your application is being processed by the Immigrant Visa Unit, you can call our Live Operator Service, tel 09042-450-100 (from within the UK; calls are charged at GBP 1.20 per minute) for updates about the status of your IV case. If they are not able to answer your inquiry, they will be able to direct it to someone at the Embassy for a response. You cannot contact the Embassy directly regarding your case.

**Question:** (10:11) Q: What is the current waiting period for spouse visas from receiving the Packet 3 to interview date?

**A:** How long this process takes is largely dependent on how long it takes you, the applicant, to return the requested forms and documents to the either the National Visa Center in New Hampshire or the Immigrant Visa Unit at the Embassy. (If the U.S. Citizen resides in the United States, the application will be processed by NVC; if s/he resides in the United Kingdom, the visa application will be processed by the Immigrant Visa Unit at the Embassy.) In either case, it is important that you do not delay returning the application forms. Once everything requested is received from you, your case will be listed as documentarily complete, and you will be scheduled for an interview date and time and notified of this date/time for your interview, as well as sent further instructions.

**Question:** (10:11) Q: My 83 year old mother (UK citizen) is in poor health and as her only close relative, I would like to bring her into the US to take care of her, I am a permanent US resident, would this be possible and how?

**A:** You will not be able to petition for your mother as a US LPR. If you obtain your US citizenship, you would be eligible to file a petition for her under the IR-5 visa category. For more information about for whom you can file, please see: [http://london.usembassy.gov/cons\\_new/visa/iv/index.html#fambased](http://london.usembassy.gov/cons_new/visa/iv/index.html#fambased)

**Ray :** (10:14) The I-601 webpage is not updated on a daily basis-Why

**U.S. Embassy London:** (10:14) This website is updated by the Department of Homeland Security. They try to update it as often as possible, but this may be weekly not daily. Keep checking the site for the latest updates.



**Question:** (10:14) Q: If traveling to London from Northern Ireland or Scotland for the medical examination and immigrant visa interview, is it possible to do both on the same day rather than have to pay to fly down and perhaps stay overnight twice?

**A:** Once you are booked for your immigrant visa appointment at the Embassy, ring the panel physician and see if you are able to book an appointment for your medical that same day. The panel physician can often accommodate you. You will be able to have your immigrant visa interview without the medical, and have it sent afterwards. Your visa will not be able to be approved until a consular officer has reviewed your medical examination, but you are unlikely to have to come back in to the Embassy after your initial interview.

**Ray :** (10:15) If refused an immigrant visa and appeal. Can I still visit my wife in the US

**London Chat2:** (10:15) If your application for an immigrant visa has been denied, you will be required to apply for a nonimmigrant visa. You should be aware, however, that the denial of your immigrnat visa application will affect your eligibility for a nonimmigrant visa.

**Question:** (10:15) Q: If a K-1 visa petition has been approved and sent to the Embassy in London, but you want the case transferred to the Embassy in Nigeria, because your fiance is not a resident of the UK, is this possible?

**A:** Yes. If your petition has been received by Embassy London, and you would like it transferred, you must submit a written request for this to Embassy London, stating where you would like the petition directed and why.

**Question:** (10:15) Q: My family would like to move to the US within the next 6 months or so and will be investing a largish sum of money in both a business and a home. We would like to open a business in the U.S. My first question is what would we need to do to start this process, how much money will we need to be considered - both investment and capital, and also will we be considered for permanent residence after a certain amount of time?

**A:** There are some opportunities to immigrate to the United States on an employment-based visa. Please see our website at [http://london.usembassy.gov/cons\\_new/visa/iv/index.html#fambased](http://london.usembassy.gov/cons_new/visa/iv/index.html#fambased) for more information about these categories.

**Alison Eastwood:** (10:16) My son travelled to Minnesota on 31st August 2009 and is due to return on 1st December 2009 - his visit was primarily for a holiday and to renew a friendship with someone he met some years ago. The relationship is now blossoming and he would like to remin in the US beyond 1st December. Could you please advise who he would need to contact to see if this would be possible. Any assistance you are able to provide would be greatly appreciated

**London Chat2:** (10:16) As your son is in the United States, he must contact the U.S. Citizenship and Immigration Services for further information.



**jaimejamzz:** (10:17) I am an American and my husband is British. We live in Glasgow. Do you recommend we make the application within the UK or the US? Will it be processed any quicker within the UK?

**U.S. Embassy London:** (10:17) You can choose to file your I-130 petition either in the UK or the US, if you are resident here. Please see the USCIS portion of the Embassy's website for details. The immigrant visa for your spouse must be processed in the UK. You are not able to go to the US on the Visa Waiver Program and then adjust status to that of a resident.

**Paul:** (10:17) I am awaiting Embassy interview for K1 Fiance Visa, I need to complete and return a few preliminary documents before Embassy appoint an interview date / time to my case. Does the petitioner (my U.S. Citizen Fiancee) have to complete any forms at this time or are the forms just mine to complete ? Thanks.

**London Chat2:** (10:17) If the petition has been approved, and you are in the processing of applying for the visa, the U.S. Citizen is required to take no further action at this time, It is important that you follow the instructions received to avoid a delay in the processing of your application.

**Question:** (10:18) Q: Hi there, My question regards the expedition of some cases. I have been told that there is no way of formally requesting expedition of a case when it is being processed in the U.K. Is this correct?

**A:** There is no way to expedite an immigrant visa for the United States regardless of which Embassy or Consulate is processing the visa. Immigrant visa interviews are scheduled on a first-qualified, first-scheduled basis. The sooner an applicant gets the Embassy their completed paperwork after the Embassy receives the applicant's approved I-130 petition, the sooner that applicant can be scheduled for their interview. However, immigrant visa cases are often complex. Only the consular officer at the time of the applicant's interview will be able to give the applicant an estimate of how long the processing may take on their individual case.

**Question:** (10:18) Q: I was denied my CR-1 visa at my interview and given a waiver form to complete and submit. Do you simply fill out this form and submit to the embassy or do you have to also submit evidence to show 'hardship'.

**A:** In certain circumstances, individuals who have been found ineligible for an immigrant visa may file an Application for Waiver of Ground of Inadmissibility (Form I-601). The I-601 and the Extreme Hardship Statement are filed with the Embassy where you applied for the Immigrant Visa. The Consular Officer sends the application for the waiver and all the required supporting documentation to the USCIS office with jurisdiction for adjudicating the application. If the waiver is approved, USCIS sends that approval notification to the Embassy for issuance of the immigrant visa. If the waiver is denied, the applicant will be notified in writing of that decision and the immigrant visa will not be issued. Please see <http://london.usembassy.gov/dhs/uscis/ivwaiver.html> for more information.





**Joe:** (10:19) I was asked to present additional documents after the interview which I've done, does that guarantee me a visa

**London Chat2:** (10:19) Visa issuance is not guaranteed. Immigrant visa applicants are required to establish their eligibility for a visa under U.S. visa law. If you have been requested to submit additional documents, these will be reviewed and you will be advised further once this has been done.

**Eloise:** (10:19) Due to postal strikes in the UK, how will you contact me to schedule my visa interview?

**London Chat2:** (10:19) We are still using the postal service to notify applicants of the appointment.

**Question:** (10:20) Q: My wife and I are UK citizens wishing to live work in the USA, I work in the oil industry as a technician and would seek work in the USA as such can you suggest a route to enable me to do this please?

**A:** There are some opportunities to immigrate to the United States on an employment-based visa. Please see our website at [http://london.usembassy.gov/cons\\_new/visa/iv/index.html#fambased](http://london.usembassy.gov/cons_new/visa/iv/index.html#fambased) for more information about these categories.

**Question:** (10:20) Q: If someone who was of American nationality was to marry a person of British nationality in the UK, would the marriage be valid in America? What visas would need to be filled out?

**A:** Yes, most marriages performed overseas are considered valid in the US. For more information, please visit this part of the Embassy's website: [http://london.usembassy.gov/cons\\_new/acs/scs/marriage\\_and\\_civil\\_partnerships.html](http://london.usembassy.gov/cons_new/acs/scs/marriage_and_civil_partnerships.html). You can also find all information about how a U.S. citizen can file for their spouse or fiancé/fiancée on the Embassy's website, under the "Immigrant Visas" section.

**RAM:** (10:20) Hello and thanks for your time. I am K1-fiancé visa applicant and you have already received my IV-15 and check list forms together with other requested forms 2 weeks ago based on DHL confirmation. Would you please tell me approximately when I should expect to receive my interview appointment letter from you? ... Thank you.

**London Chat2:** (10:20) If you have returned all of the forms required for your application, you can anticipate being contacted within 4 - 6 weeks of the Immigrant Visa Unit receiving these forms.



**Question:** (10:21) Q: I am a British Citizen residing in the UK together with my wife, a US citizen (who still owns a property in the US). We have recently received an approved petition for my Visa Petition. Subject to my visa being approved we plan to move to the US during June 2010. However at this time neither my wife or I have secured US based employment. Concerning the Affidavit of Support are we permitted to name my Father in Law (a US citizen residing in the US) as Joint Sponsor due to our current lack of US based income?

**A:** Yes. If your father-in-law is a US citizen resident in the United States, he may act as a joint sponsor. Please note that only the consular officer at the time of your immigrant visa interview will be able to determine whether or not your affidavit(s) of support are sufficient for your visa application.

**Garrett Edwards:** (10:21) Can one apply for a new Green card after already having had one?

**London Chat2:** (10:21) If your entitlement to status as a lawful permanent resident has expired and you wish to return to the United States to resume permanent residence, you may reapply for an immigrant visa. I suggest you review the information on our website - <http://london.usembassy.gov>

**Question:** (10:22) Q: Does London still process following-to-join/derivative cases directly upon presentation of proof of principal's lawful permanent resident status and proof of relationship, together with completed forms DS-2001 and DS-230 Part 1? Or is processing through the NVC with an approved I-824 necessary?

**A:** London can still process these cases. You will have to produce the original Notice of Action, Form I-797, a copy of the LPR card ("green card"), and a DS-230 Part I. Please send these documents in to the Immigrant Visa Unit with a covering letter giving the applicant's full name and contact details and they will check to see if your case qualifies. If it does, they will forward further information to you regarding the process.

**Question:** (10:22) Q: how long is the administrative processing for fiance visa? **A:** Some visa cases require routine administrative processing before they can be completed. The consular officer at the time of your interview will be able to inform you if your application requires administrative processing. Administrative processing can take anywhere from several weeks to six months, or longer. This process is not completed in London, and therefore we are not able to advise as to precisely how long this process may take. We do not have any influence or control over this process. If your case requires administrative processing, you will be informed directly when this processing is completed for your application.





**Mary:** (10:23) Is it possible to arrive on a visitor's visa and obtain a sponsor whilst visiting and thus upgrading your visa in the United States?

**London Chat2:** (10:23) If you enter the U.S. as a visitor and your circumstances change, you are required to contact the U.S. Citizenship and Immigration Services for information and assistance.

**jaimejamzz:** (10:23) My husband and I are filling out the I-130. I use my married name in the UK (where we reside) but my passport, driving license and SS card state my maiden name. Will they accept the use of my married name on the application forms with the marriage certificate only as proof of name change?

**London Chat2:** (10:23) If you are a U.S. citizen filing an I-130 for your spouse, you should contact USCIS for information on your situation. If you are filing in the UK you may contact USCIS at the Embassy.

**Paul:** (10:23) Upon a K1 Fiance Visa being approved and issued, can the beneficiary commence employment when arrived in the states or is this only allowed after marriage and adjustment of status using I-485?

**U.S. Embassy London:** (10:23) You will not be able to work in the United States on your fiance visa. You must first adjust status in the United States after your marriage.

**Question:** (10:24) Q: Good morning! I am currently waiting for an immigrant visa interview (K3) and was wondering how these are allocated and whether you are now fully booked for the months of Nov to Dec? Thank you

**A:** Your immigrant visa interview will be scheduled as soon as the Immigrant Visa Unit can see that your application is complete. Please double-check the information you were sent by the IV Unit when they received your approved IV petition from the National Visa Center. This information stated what documents and forms must be received by the IV Unit before they can schedule your case for interview.

**Question:** (10:24) Q: If the K-1 Visa is approved post interview, is there any way to pick up the visa in person instead of by courier?

**A:** No. Due to security and other restrictions, all immigrant visas are returned to the applicants by the Embassy's contract courier service. You will be advised on the day of your interview how to arrange for your visa's return by the courier, or how to contact the courier subsequently about return.



**phxbound:** (10:25) Is evidence of a job search; e.g., cover letters, resume submissions, correspondence, etc., sufficient proof of re-establishing domicile in the US or do I have to have a job offer?

**London Chat2:** (10:25) If you are a green card holder returning to resume residence in the United States you will have maintained status only if you have been outside the U.S. for less than one year or two years if holding a re-entry permit. If you have been outside for longer than that, you will require a new immigrant to return. Please refer to our website for further information - <http://london.usembassy.gov>

**Joe:** (10:26) How long do I have to wait for the completion of administrative process after an interview

**London Chat2:** (10:26) It varies with each individual application. Processing routinely takes 90 days, but in some cases can take 6 months or longer.

**Mary 2:** (10:27) No we do not have a visa and we do not know anybody who lives in the U S we visit for vacation only Mary

**London Chat2:** (10:27) Unless you can qualify for immigration in the employment based category, it will not be possible to apply for an immigrant visa.

**Ellen:** (10:27) Can a spouse or fiancée waiting for processing of a K-1 or K-3 visa still visit their partner in the U.S. on the visa waiver program, or must they remain outside the U.S. during the entire processing time?

**U.S. Embassy London:** (10:27) If you are otherwise eligible to travel on the Visa Waiver Program, you may continue to travel to the United States while your immigrant visa is being processed. However, decisions about who to admit to the US are up to the immigration officials at the port of entry. Be prepared to answer additional questions regarding your trip if you have a pending immigrant visa application. The immigration official may or may not choose to admit you.

**Question:** (10:27) Q: May I kindly ask you please regarding the location port of my entry? I have an immigrant visa. My spouse lives in California. Could I enter New York instead of going to California?

**A:** You may enter the United States on your immigrant visa at any U.S. port of entry.



**Question:** (10:28) Q: My girlfriend is here on a work visa and when I go home in January I want to know what it would take for her to come for a period of time before us getting married

**A:** If your plan to marry your girlfriend in the United States, you can file an I-129F petition for her as your fiancée and then obtain a K-1 fiancée visa for her to enter the United States. You will have 90 days from the time she enters the US to get married, otherwise she must leave the United States. Please visit our website at [http://london.usembassy.gov/cons\\_new/visa/iv/fiance.html](http://london.usembassy.gov/cons_new/visa/iv/fiance.html) for more information.

**Ray :** (10:28) Once granted immigrant visa and married to US citizen. Are you allowed to return to the UK for visits to your children etc

**London Chat2:** (10:28) Yes. Once admitted as a Lawful Permanent Resident you will maintain status provided you do not remain outside the U.S. for longer than 12 months or two years if holding a re-entry permit.

**Question:** (10:28) Q: How long does it take your office to notify the beneficiary of a fiancée visa after it has been approved by USCIS and forwarded to the US Embassy in London? Secondly can the beneficiary walk in with the approval letter for an interview date?

**A:** Once your approved I-129F petition is received by the Embassy's Immigrant Visa Unit, you will be sent a "Packet 3," i.e. the information regarding which forms need to be filled out and documents obtained for your immigrant visa. You must submit this information to the IV Unit. Once everything requested is received from you, your case will be listed as documentarily complete, and you will be scheduled for an interview date and time and notified of this date/time for your interview, as well as sent further instructions. How long this process takes is largely dependent on how long it takes you, the applicant, to return the requested forms and documents to the IV Unit after receiving your Packet 3 instructions. Please note that there are NO walk-in appointments.

**Alison Eastwood:** (10:29) Could you please tell me how to contact the US Citizenship and Immigration Service in the US - are they based in one place or is their various state offices. Could you provide a web site or telephone number please

**Question:** (10:29) You can reach USCIS at [www.uscis.gov](http://www.uscis.gov).

**Paul:** (10:29) How long does LPR status take to achieve after marriage and consequent adjustment of status ? How long does Advance Parole normally take to be granted and cleared after marriage but before LPR status has been granted?

**London Chat2:** (10:29) On entering the U.S. on an immigrant visa you will be admitted as a permanent resident. Your card may take 6 - 12 months to process, but you can travel on the stamp in your passport. Advance parole is a matter for USCIS. You should contact them concerning the period of time it takes to process an application.



**Question:** (10:30) Q: Does the Consulate take into account the visa applicant's personal circumstances (i.e., family demands, travel costs) in processing the immigrant visa after the interview? What factors does the Consulate consider in processing the visa?

**A:** No, the Embassy is not able to take into consideration "family demands." The requirements for an immigrant visa are clearly set out in U.S. immigration law, and the consular officer at the time of interview will determine whether or not these requirements have been met. They are not able to bend U.S. immigration law regardless of family circumstances.

**Question::** (10:30) Q: For IR cases, assuming that the visa is approved at the interview, how long will it typically take for the passport and visa to be returned to the applicant? Is it possible for the applicant to pick up the passport with the visa?

**A:** If your visa is approved at the time of your interview, it will be returned to you approximately 5-7 days afterwards by the Embassy's contract courier service. Please note that applicants are not permitted to return to the Embassy to pick up their visas.

**T 2:** (10:31) I work in a very specialised field where there is much demand, but it's in insurance and many companies are not allowed to hire people from outside US because of the money they received from the government. Can I apply for a visa and find a job while in the US which should be very easy, because then companies can hire me?

**London Chat2:** (10:31) You require the job offer first as in most cases, the employer is required to file the immigrant visa petition. There are a couple of instances where the person may self-petition. I suggest that you review the information on our website and on the USCIS website - <http://london.usembassy.gov> and [www.uscis.gov](http://www.uscis.gov)

**RAM:** (10:32) In I-134 affidavit of support form for K1-fiance visa applicant, the last item (#11), should I check 'I do intend' or 'I do not intend' ? I'm totally financially supporting my fiance, but no one (even lawyers) seems to know exactly how to answer this question for K1 visa applicant. PLEASE advise... Thanks.

**London Chat2:** (10:32) Call 09042 450 100 (Calls cost £1.20/min) for assistance.



**phxbound:** (10:32) I'm a US citizen sponsoring my husband for an IR1 visa through DCF and our interview is soon. My question relates to re-establishing domicile in the US. Is evidence of a job search; e.g., cover letters, resume submissions, correspondence, etc., sufficient proof of re-establishing domicile in the US or do I have to have a job offer?

**U.S. Embassy London:** (10:32) The consular officer at the time of your interview is the only person who can make a final decision regarding whether or not you have established your proof of domicile. All of the things you have mentioned will be taken into account. If your domicile is found not to be sufficient, you will be informed at the time of your interview as to what steps you need to take.

**Question::** (10:32) Q: Hi, I am American and my husband is British. We currently live in the UK, but have decided to move to the US. What are the steps to making an application within the UK for a green card? Also, can you work in the US on the "Immigrant Visa"? Is the "Immigrant Visa" the same as a green card?

**A:** The I-130 immigrant visa petition is the first step to becoming a U.S. Legal Permanent Resident (LPR), or "green card holder." If you reside in the United Kingdom it may be possible to file the petition with the U.S. Citizenship and Immigration Services at the Embassy; if not, you will be required to file in the United States. Please see our website, <http://london.usembassy.gov/dhs/uscis/index.html>, for more information. Once the petition is approved, it is sent to either the National Visa Center or the Embassy who will contact the visa applicant with further information concerning the processing of the immigrant visa application. Once the visa is approved, the beneficiary enters the U.S. on his immigrant visa.

**Eloise:** (10:32) My fiance is a student and my future father in law has provided me with an affidavit of support to support my k-1 visa application. Does my fiance also have to provide me with an affidavit of support or is his father's affidavit of support sufficient?

**London Chat2:** (10:32) In the case of a fiancée visa application, there is no requirement that the petitioner file an affidavit of support.

**amandamarie:** (10:35) what happens if I have a pending Fiancee visa application but travel to the US and marry my fiancee, will we have to start the application process again as a married couple or just change my status?

**London Chat2:** (10:35) If you apply for a fiancée visa and do not follow it through, you will require an immigrant visa in order to take up permanent residence in the U.S.

**RAM:** (10:35) Hi. Would you please tell me if I can get some information about my K1-fiance visa case status at your embassy by calling you (over the phone) ?

**U.S. Embassy London:** (10:35) You can call our Live Operator Service, tel 09042-450-100 (from within the UK: calls are charged at GBP 1.20 per min) for information regarding your immigrant visa application.



**Question::** (10:36) Q: Am I eligible to return to the US as an immigrant if my daughter is a US citizen?A: Your daughter can file an I-130 petition for you as an immediate relative, but not until she is 21 years of age.

**jaimejamzz:** (10:36) Once you are admitted into the US on the Immigrant Visa and admitted as a permanent resident but are without the physical green card, can you apply for work?

**London Chat2:** (10:36) Yes. YOu will need to discuss this with the USCIS. Visiit their website for further information - [www.uscis.gov](http://www.uscis.gov)

**tony 2:** (10:37) my fiance lives in the US on a greencard, will it be possible for me to live in the US when we get married outside the US and does gay marriage count?

**London Chat2:** (10:37) U.S. visa law does not recongize civil partnerships. Therefore, your partner, regardless of his or her status, will not be eligible to sponsor you for immigration.

**Sally:** (10:38) My spouse was granted an I-601 waiver for our fiancée application some years ago but we had been advised that the waiver had been denied so we proceeded to get married. Would this waiver still carry any weight if we were to apply for it again under a spousal I-130 application?

**U.S. Embassy London:** (10:38) No. Depending on what was the reason for your waiver, i.e. if it still constituted a visa ineligiblity, you would have to apply for a new waiver if you filed an I-130 petition for your husband.

**Question::** (10:38) Q: Can I make a phone call to enquire about my immigrant visa application?

**A:** Yes. If your application is being processed by the Immigrant Visa Unit at the Embassy and you would like an update on your case, please call our Live Operator Service at 09042-450-100 (from within the UK; calls are charged at £1.20 per minute). If they are not able to answer your inquiry directly, they will forward it to the appropriate office. If your application is being processed by the National Visa Center in New Hampshire, you will find contact details for them at the following link:

[http://www.travel.state.gov/visa/immigrants/info/info\\_3177.html](http://www.travel.state.gov/visa/immigrants/info/info_3177.html).

**jaimejamzz:** (10:38) My husband and I do not have a mortgage togethe or a joint bank account. Are the affidavits confirming our marriage enough for the 1-130 enough? We have a total of seven from friends and family members. Would you recommend adding any other supporting documentation?

**London Chat2:** (10:38) This is a question for USCIS with whom you are filing the I-130. Please contact them for further informaiton





**Question::** (10:39) Q: What is maximum waiting time for the issuance of an immigrant visa?

**A:** There is no maximum time. How long the immigrant visa process takes is largely dependent upon the applicant, and how quickly they are able to get their documents together in order to be ready to be scheduled for their interview. Some visa categories have waiting times, if they are not for immediate relatives. Some visa applications will require routine administrative processing. You will be informed by the consular officer at the time of your visa interview as to the specifics in your case.

**Question::** (10:39) Q: Please may I know what is the web site for the US green card lottery?

**A:** You can find all information about the Diversity Visa Lottery on <http://www.dvlottery.state.gov/>

**amandamarie:** (10:40) Will it prejudice my visa application if I go to the US on the visa waiver programme, get married to my US fiancée while in the US and then return to the UK to apply for a green card and resign from my job etc?

**London Chat2:** (10:40) You can travel to the U.S. to marry, provided your intention is to return to your place of permanent residence after marriage. I suggest that you carry with you evidence confirming this

**sohail:** (10:41) Hi, i am indian citizen and my girl friend is US citizen. we have just married here in london, could you please tell me how and where we apply visa for me to join her in US and what documents i need, thank you

**London Chat2:** (10:41) You require an immigrant visa. Check out our website - <http://london.usembassy.gov>

**Question:** (10:41) Q: I am staying in London UK with a student visa. My Mum is a Green card holder to USA and she has been living there for a year. Is there any chance my Mum can apply for me as I am single. **A:** If your mother is a US LPR ("green card holder"), and you are unmarried, she may file a petition for you. Please see our website, [http://london.usembassy.gov/cons\\_new/visa/iv/familypref.html](http://london.usembassy.gov/cons_new/visa/iv/familypref.html), for more information.

**CarolTLC:** (10:41) How long after one receives their immigration visa do they have until they must move to the US?

**London Chat2:** (10:41) An immigrant visa is usually valid for travel for six months from the date on which it is issued.



**U.S. Embassy London:** (10:42) Q: Our son is married to a US citizen and we are looking for permanent residence to be with them and our future grandchildren.

**A:** If your son becomes a U.S. citizen, he can petition for immigrant visas for you. Please see our website, <http://london.usembassy.gov>, under "Immigrant Visas," for more information.

**roger:** (10:42) how much does it on average cost for a us employer to sponsor you and would it be allowed that I pay this back to the employer?

**London Chat2:** (10:42) Information on filing an immigrant visa petition and the fees involved is available from the USCIS website - [www.uscis.gov](http://www.uscis.gov)

**Question:** (10:42) Q: I have a Green Card that expired last year. I have worked back here in the UK for 2 years. But would like to return and work in the USA. Can I apply to renew this Green Card?

**A:** Your green card should be valid for travel to the United States so long as you have not been outside the US for more than 365 days, or two years if holding a valid Re-Entry Permit. If you have lost your entitlement to status, you will not be able to travel on your green card, even if it is still valid. If you wish to return to the United States to resume residence, you will be required to once again qualify for immigrant status. Please see our website for further information - [http://london.usembassy.gov/cons\\_new/visa/iv/index.html](http://london.usembassy.gov/cons_new/visa/iv/index.html).

**U Question:** (10:43) Q: My case is in NVC at the moment, can I visit US as a Visa Waiver for one month? If so what should I do?

**A:** If your immigrant visa application is currently being processed by the National Visa Center in New Hampshire and you would like to travel to the United States in the interim on the Visa Waiver Program, and you are eligible for VWP travel (please visit our website for eligibility requirements), this is allowed under U.S. immigration law. Please note, however, that the ultimate decision about who to admit to the United States rests with the immigration officers at the U.S. ports of entry. We recommend that you carry with you evidence showing that your visit is temporary and that you will return to your permanent residence in the United Kingdom at the end of the visit.

**Question:** (10:43) Q: Can I apply for my fiancé's K-1 visa from here in the UK? I am only here until January, but would like to get the paperwork going.

**Question:** No. All petitions for fiancé/fiancée visa applications must be filed in the United States.



**Question:** (10:44) Q: If I travel to the US on the visa waiver program, and my partner and I get married will it prejudice any application that is made for me to immigrate to the USA (I will still return to the UK for the visa to be processed and to leave my job etc)?

**A:** No. You are permitted, if you are otherwise eligible to travel under the Visa Waiver Program, and do not intend to remain in the United States after your wedding and adjust status there, to get married in the U.S.

**Cymru:** (10:44) My daughter was 20 at the time of DV application, we have our interview soon. She turns 21 in March, if we are approved in Nov does he still have 6 mnonts to go or must she travel before turning 21?

**London Chat2:** (10:44) Your daughter may still be eligble to derive stauts and be isued a visa. As this is case specific, please call 09042 450 100 (Calls cost £1.20/min) for assistance.

**Question::** (10:44) Q: I wish to return to the US on a permanent basis after several years of absence having previously held a green card. I am aware that I have to re-apply but does my previous period of residence simplify the process in any way?

**A:** No. If you have been outside the US for more than 365 days, you have lost your status as a Legal Permanent Resident ("green card holder"). If you wish to regain this status, you will have to have someone file a new immigrant visa petition for you.

**Question:** (10:45) Q: UK citizen parents legally resident in the US when their children were born don't seem to be able to stay in (or return to) the US once their visas expire. Is there any way of applying for US residency/citizenship to allow our children the opportunity to live in the US?

**A:** When they are 21 years of age, your children can petition for you. Until then, there is no way you can gain U.S. legal permanent residence through your children. The only alternative is to qualify for immigration through employment based immigration. I suggest that visit our website for further information - [http://london.usembassy.gov/cons\\_new/visa/iv/index.html](http://london.usembassy.gov/cons_new/visa/iv/index.html).

**p. doyle:** (10:45) how long would it take to process a fiance visa?

**London Chat2:** (10:45) It varies depending on indivdual circumstances. We recommend that you allow apprxoimatley 8 - 10 months for the application to be procesed.



**Question:** (10:46) Q: Hi, Myself and my Fiancee have filed for the K1 Fiance Visa, I have received a letter from the embassy advising me to send DS-156k back in duplicate along with other preliminary documents before an interview time and date can be confirmed to my case. When will I have my interview?

**A:** Your case must contain all the necessary documents requested by the Immigrant Visa Unit before you can be scheduled. Once you have sent these documents and forms in, they will be reviewed for completeness. When your case is found to be complete, you will be scheduled for your interview and notified of your interview date and time.

**amandamarie:** (10:46) Thanks for answering my question - but what kind of evidence would i need to carry (and would be accepted) to prove that my intention (after marrying my US financee in the US) is to return to the UK and then apply for a visa to get legal/valid entry to the US?

**London Chat2:** (10:46) Evidence varies with each individual. You would need to show strong social and economic ties to the United Kingdom.

**Question:** (10:46) Q: I am a British Citizen and I am interested in going to the US to live because my family live there. What would I have to do?

**A:** Your family may be able to petition for you, depending on what your relationship is. Please see our website, <http://london.usembassy.gov>, under the "Immigrant Visas" section for more information about petitionable relationships.

**Question:** (10:46) Q: My husband has opened his visa package. What should we do? Please don't say we have to go back down to London.

**A:** You need to return your open visa package(s) to the Immigrant Visa Unit by the Embassy's contract courier service together with a covering letter explaining what happened. Please do NOT include your passport. Your new package(s) will be returned to you by the courier.

**U.S. Embassy London:** (10:47) Q: I'm a U.S. citizen female 3 yrs. married to a British citizen. We intend to move to the states and are concerned about timing as we will be selling our home in UK. My question is approx. how long approx. does it take to get an immigrant Visa? And after received how long do we have until we have to leave the UK to move to the U.S?

**A:** For immediate relatives, if you file your I-130 petition directly with USCIS London (if you are permitted to do so under their regulations), the processing time between filing the petition and receiving the immigrant visa should be approximately 6-8 months. Please note, however, that each immigrant visa case is individual, and processing time can vary widely from case to case.



**Dominic:** (10:47) I am in the US military in stationed in the UK. I have submitted an I-130 for my spouse who is a UK citizen. Is there any way or anyone to speak with the expedite the process considering I have to leave the UK on military orders in Mar 2010?

**London Chat2:** (10:47) If you have submitted the I-130 the application will probably take 3 - 6 months to process. Consideration to expedite cannot be given until your wife has complete the visa application forms and submitted them to the Immigrant Visa Unit

**U Question:** (10:47) Q: Would a green card holder be refused entry if he has gone over 180 days out of USA due to health problems?

**A:** Legal Permanent Residents, or “green card holders,” will lose their status if they remain outside of the U.S. for more than 365 days. However, any decision about admitting a green card holder is up to the Department of Homeland Security, who are the officers you will see at the U.S. port of entry. If they feel that the card holder is not abiding by the intent of having a green card, i.e. residence in the United States, they can choose not to admit that person.

**Question:** (10:48) Q: On average how long does it take for an I-601 waiver to be reviewed and a decision made?

**A:** I-601 waivers for visa ineligibilities are adjudicated by the Department of Homeland Security, USCIS. The Immigrant Visa Unit will forward your waiver application to USCIS, and must then wait for a response. USCIS processing times vary. You are able to check the status of your waiver application with USCIS London on their webpage: <http://london.usembassy.gov/dhs/uscis/iwvaiver.html>

**Cymru:** (10:48) Can we submit more than one I-134 for our DV ? We have several friend willing to sign.

**London Chat2:** (10:48) Provided your friends qualify as sponsors, they may submit an I-134.

**Tony:** (10:49) Can you tell me the exchange rate used for the I-864? I have an RAF pension and UK assets in pounds sterling?

**U.S. Embassy London:** (10:49) The Embassy will use the exchange rate set by the Embassy's Class B Cashier. This exchange rate fluctuates daily but is generally similar to the rate used by UK banks.

**Question:** (10:49) Q: If I am denied an immigrant visa will I receive some short of notification in writing explaining why I was denied? **A:** Yes you will. You will be told the reason by the interviewing consular officer, and also given a written explanation.



**p. doyle:** (10:50) thanks for answering, what would my status be if i married my fiancée, who is a U.S. citizen, here in the U.K. and could i travel to the U.S.

**London Chat2:** (10:50) You would require an immediate relative visa in order to travel to the United States to take up permanent residence. Check out our website - <http://london.usembassy.gov>

**Dominic:** (10:50) Also, is it true my wife has to stay in the UK while her I-130 is pending?

**London Chat2:** (10:50) If your wife is a U.S. citizen you need to direct your inquiry to the UK Home Office.

**Cymru:** (10:51) Thanks for your reply. Can the I-134 be faxed to me from my friends and then I submit that fax to the embassy or should I have the hard copy?

**U.S. Embassy London:** (10:51) Affidavits of support must have the original signature of the person completing the form.

**phxbound:** (10:52) Does the Police certificate need to be in a sealed envelope? When I requested one the Police station handed me the paper copy.

**U.S. Embassy London:** (10:52) No. Your police certificate does not have to be sealed.

**BigJohn:** (10:53) I'm an Iraqi citizen living in UK. I want to apply for the SIV which is for the Iraqis who worked with or on behalf of the American forces in Iraq. Please advise me how to apply and where? Can I make an application in US embassy in London?

**London Chat2:** (10:53) Information on this visa category is available from the Department of State's website - [www.travel.state.gov](http://www.travel.state.gov)

**Dominic:** (10:53) If I have submitted an I-130 for my spouse who is a UK citizen, is it true that she must stay in the UK while the I-130 process is underway?

**U.S. Embassy London:** (10:53) No. But your spouse will have to be in the UK for her immigrant visa interview.

**Tony:** (10:54) Regarding the exchange rate for UK assets. How can I work out my UK assets if the exchange rate changes daily? Is there not a 'fixed' general exchange rate I can use so I can submit my paperwork?

**London Chat2:** (10:54) You should advise the Embassy of the rate of exchange that you have used. As the rate is pretty constant at the moment, it should not make a great deal of difference.





**Paul:** (10:54) When travelling for the 1st time to the states on K1 Fiance Visa, is it true, the Visa cannot be opened up from being sealed until opened up by immigration officials at US port of entry? What if there is a mistake on there and it is only discovered when you have reached America?

**U.S. Embassy London:** (10:54) You cannot open your visa package that will be sent to you along with your passport which has the visa in it. This package can only be opened by immigration officials at the U.S. port of entry.

**Dominic:** (10:55) Once the visa application has been submitted, what can be done to expedite it?

**London Chat2:** (10:55) Visa applications are processed as quickly as possible. If you have humanitarian need of travel, it will be taken into consideration, but on a case by case basis.

**Dominic:** (10:55) Is there any additional help offered from the US Embassy London for US military personnel stationed in the UK? Concerning the I-130 process.

**London Chat2:** (10:55) I regret not.

**Tony:** (10:56) I served in the RAF (UK ARMED FORCES) FOR 22 YEARS. Do I need a police certificate or will my discharge papers do instead?

**London Chat2:** (10:56) You may furnish a letter from the UK Forces which covers all of the place where you served with them. You will require a UK police certificate.

**Paul:** (10:57) My signature along with 2 other signatures (the company owner and my direct supervisor) are on my contract of employment noting annual salary, can this be used for Affidavit of support at K1 Fiance Visa interview?

**London Chat2:** (10:57) We suggest that you submit the document for consideration.

**Paul:** (10:57) Can I use my contract of employment showing annual salary on company letter head for Affidavit of support in the interview for K1 Visa?

**U.S. Embassy London:** (10:57) This would depend on a number of factors, such as whether your job is in the US or the UK. Ultimately, only the consular officer at the time of interview can make the decision about whether or not your affidavit of support is sufficient or if additional information or a joint sponsor is required.



**speedy:** (10:58) Can a "Green card" holder apply for a re-entry permit from the UK due to having not being able to return due to ill health ? The 365 days have not yet expired.

**London Chat2:** (10:58) You may be eligible for returning resident status. Visit our website for further information - <http://london.usembassy.gov>. You may only submit the application once you are out of status.

**Dave:** (10:58) will my immigrant visa be attached to my passport or returned loose with my passport

**London Chat2:** (10:58) The immigrant visa is endorsed in your passport.

**U.S. Embassy London:** (10:59) Thank you to everyone for participating in our webchat today. That is all the time we have for questions today, but please keep checking our website, <http://london.usembassy.gov>, for information about upcoming webchats.

If you have questions about your immigrant visa case that we have not been able to answer today, please see the FAQs on our website, or you may call our Live Operator Service, tel 09042-450-100 (from within the UK; calls are charged at GBP 1.20 per minute).

The webchat ended at 11:00 GMT